

EXHIBIT D

CHARGE OF DISCRIMINATION <small>This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</small>		Charge Presented to: Agency(ies) Charge No(s): <input checked="" type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC					
_____ and EEOC <small>State or local Agency, if any</small>							
Name (<i>indicate Mr. Ms. Mrs.</i>) Mr. Suverino Frith		Home Phone (Incl. Area Code) <div style="background-color: black; width: 100px; height: 1.2em; margin: 0 auto;"></div>					
Date of Birth 02/04/1999							
Street Address c/o Shannon Liss-Riordan, Lichten & Liss-Riordan, P.C., 729 Boylston Street, Suite 2000, Boston, MA 02116		City, State and ZIP Code					
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I believe Discriminated Against Me or Others. (<i>If more than two, list under PARTICULARS below.</i>)							
Name Whole Foods Market, Inc.		No. Employees, Members More than 10,000					
Phone No. (Include Area Code) 1-512-477-4455							
Street Address 550 Bowie St., Austin, TX 78703		City, State and ZIP Code					
Name Suverino Frith		No. Employees, Members 1					
Phone No. (Include Area Code) 7034316521							
Street Address 8 Scannell Road, Randolph, MA 02368		City, State and ZIP Code					
DISCRIMINATION BASED ON (<i>Check appropriate box(es).</i>) <input checked="" type="checkbox"/> RACE <input checked="" type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER (Specify below.)		DATE(S) DISCRIMINATION TOOK PLACE <table style="width: 100%; border: none;"> <tr> <td style="text-align: center;">Earliest</td> <td style="text-align: center;">Latest</td> </tr> <tr> <td style="text-align: center;">June 2020</td> <td style="text-align: center;">July 2020</td> </tr> </table> <input checked="" type="checkbox"/> CONTINUING ACTION		Earliest	Latest	June 2020	July 2020
Earliest	Latest						
June 2020	July 2020						
THE PARTICULARS ARE (<i>If additional paper is needed, attached extra sheet(s)</i>): <p>Due to the onset of the global coronavirus pandemic, grocery workers (like many other workers around the country) are required to wear masks to work. Following the death of George Floyd and demonstrations this spring around the country protesting police violence and other discrimination against Blacks, more people have been showing their support for the Black Lives Matter movement. Around June 2020, many Black Whole Foods employees and non-Black coworkers began wearing masks with the message Black Lives Matter. In response, Whole Foods began disciplining us for wearing these masks. Although Whole Foods had not previously strictly enforced its dress code policy (and had not disciplined employees for wearing other messages, including political messages), the company began sending home employees without pay for wearing Black Lives Matters masks. Whole Foods has given employees a discipline "point" each time we are sent home for wearing the mask. These points put us at risk of possible termination. Under Whole Foods' progressive discipline policy, employees who accumulate a certain number of points first receive a warning, followed by a written warning, then a final warning, and then termination. Like many other Whole Foods employees, I have been sent home without pay and given "points" for wearing a Black Lives Matter mask a number of times. I am at risk for being terminated if I continue to wear the Black Lives Matter mask and receive more discipline "points".</p> <p>I and other Whole Foods employees oppose the company's policy of not allowing us to wear Black Lives Matter masks at work. We have also opposed the company's policy of disciplining employees in response to protesting the policy. We believe Whole Foods' policy of not allowing employees to wear Black Lives Matter masks at work, and disciplining employees who wear the mask, discriminates against Blacks, including our Black coworkers, and discriminates against employees for associating with and showing support for Black coworkers and the Black Lives Matter movement. The policy is also retaliatory against employees who have protested this discrimination (and</p>							

retaliation) by Whole Foods.

I bring this Charge on behalf of myself and other employees challenging Whole Foods' discriminatory policy of not allowing us to wear Black Lives Matter masks to work. I also challenge the discipline imposed on employees, including myself and others, for wearing Black Lives Matter masks to work and for discrimination and discipline against employees for opposing Whole Foods' discriminatory and retaliatory policies.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY – *When necessary for State and Local Agency Requirements*

I declare under penalty of perjury that the above is true and correct.

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

07/13/2020

Date



Charging Party Signature

Signature signed by Swerino Frith
07/13/2020 20:30:23 UTC

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)

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_____ and EEOC <small>State or local Agency, if any</small>			
Name (indicate Mr. Ms. Mrs.) Savannah Kinzer		Home Phone (Incl. Area Code) <div style="background-color: black; width: 100px; height: 1.2em; margin: 0 auto;"></div>	
Date of Birth 09/17/1996			
Street Address c/o Shannon Liss-Riordan, Lichten & Liss-Riordan, P.C., 729 Boylston Street, Suite 2000, Boston, MA 02116		City, State and ZIP Code	
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name Whole Foods Market, Inc.		No. Employees, Members More than 10,000	
Phone No. (Include Area Code) 1-512-477-4455			
Street Address 550 Bowie St., Austin, TX 78703		City, State and ZIP Code	
Name Whole Foods Market		No. Employees, Members ~250	
Phone No. (Include Area Code) 6178766990			
Street Address 340 River St, Cambridge, MA 02139		City, State and ZIP Code	
DISCRIMINATION BASED ON (Check appropriate box(es).) <input checked="" type="checkbox"/> RACE <input checked="" type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER (Specify below.)		DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest June 2020 July 2020 <input checked="" type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attached extra sheet(s)): <p>Due to the onset of the global coronavirus pandemic, grocery workers (like many other workers around the country) are required to wear masks to work. Following the death of George Floyd and demonstrations this spring around the country protesting police violence and other discrimination against Blacks, more people have been showing their support for the Black Lives Matter movement. Around June 2020, many Black Whole Foods employees and non-Black coworkers began wearing masks with the message Black Lives Matter. In response, Whole Foods began disciplining us for wearing these masks. Although Whole Foods had not previously strictly enforced its dress code policy (and had not disciplined employees for wearing other messages, including political messages), the company began sending home employees without pay for wearing Black Lives Matters masks. Whole Foods has given employees a discipline "point" each time we are sent home for wearing the mask. These points put us at risk of possible termination. Under Whole Foods' progressive discipline policy, employees who accumulate a certain number of points first receive a warning, followed by a written warning, then a final warning, and then termination. Like many other Whole Foods employees, I have been sent home without pay and given "points" for wearing a Black Lives Matter mask a number of times. I am at risk for being terminated if I continue to wear the Black Lives Matter mask and receive more discipline "points".</p> <p>I and other Whole Foods employees oppose the company's policy of not allowing us to wear Black Lives Matter masks at work. We have also opposed the company's policy of disciplining employees in response to protesting the policy. We believe Whole Foods' policy of not allowing employees to wear Black Lives Matter masks at work, and disciplining employees who wear the mask, discriminates against Blacks, including our Black coworkers, and discriminates against employees for associating with and showing support for Black coworkers and the Black Lives Matter movement. The policy is also retaliatory against employees who have protested this discrimination (and</p>			

retaliation) by Whole Foods.

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I declare under penalty of perjury that the above is true and correct.

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

07/13/2020

Date

Samuella Kuyper

Charging Party Signature

Signature of signatory: 447238500
07/13/2020 19:41:52 UTC

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)

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_____ and EEOC <small>State or local Agency, if any</small>			
Name (indicate Mr. Ms. Mrs.) Abdulai Barry		Home Phone (Incl. Area Code) [REDACTED]	
Date of Birth 07/24/1999			
Street Address [REDACTED] Cambridge, Massachusetts, 02139		City, State and ZIP Code	
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name Whole Foods Market, Inc.		No. Employees, Members More than 10,000	
Phone No. (Include Area Code) 1-512-477-4455			
Street Address 550 Bowie St., Austin, TX 78703		City, State and ZIP Code	
Name		No. Employees, Members	
Phone No. (Include Area Code)			
Street Address		City, State and ZIP Code	
DISCRIMINATION BASED ON (Check appropriate box(es).) <input checked="" type="checkbox"/> RACE <input checked="" type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER (Specify below.)		DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest June 2020 July 2020 <input checked="" type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attached extra sheet(s)):			
I work at the Whole Foods located at <u>Fresh Pond, 200 Alewife Brk Parkway</u> . Due to the onset of the global coronavirus pandemic, grocery workers (like many other workers around the country) are required to wear masks to work. Following the death of George Floyd and demonstrations this spring around the country protesting police violence and other discrimination against Blacks, more people have been showing their support for the Black Lives Matter movement. Around June 2020, many Black Whole Foods employees and non-Black coworkers began wearing masks with the message Black Lives Matter. Although Whole Foods had not previously strictly enforced its dress code policy (and had not disciplined employees for wearing other messages, including political messages), the company began ordering employees to remove their Black Lives Matter masks and sending home employees without pay for wearing the masks. To protest this discriminatory policy, additional Whole Foods employees organized to wear Black Lives Matter masks at work. In response, Whole Foods began disciplining us for wearing these masks. The company has sent employees home without pay for wearing Black Lives Matter masks, has disciplined us for wearing a Black Lives Matter mask, and has even terminated employees. I and other Whole Foods employees oppose the company's policy of not allowing us to wear Black Lives Matter masks at work. We have also opposed the company's policy of disciplining and terminating employees in response to protesting the policy. We believe Whole Foods' policy of not allowing employees to wear Black Lives Matter masks at work, and of disciplining and terminating employees who wear the mask, discriminates against Blacks, including our Black coworkers, and discriminates against employees for associating with and showing support for Black coworkers and the Black Lives Matter movement. The policy is also retaliatory against employees who have protested this discrimination (and retaliation) by Whole Foods. I bring this Charge on behalf of myself and other employees challenging Whole Foods' discriminatory policy of not allowing us to wear Black Lives Matter masks to work. I also challenge the discipline imposed on employees, including myself			

and others, for wearing Black Lives Matter masks to work and for discrimination and discipline against employees for opposing Whole Foods' discriminatory and retaliatory policies.

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I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

07/30/2020

Date

Abdulai Barry

Charging Party Signature

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)